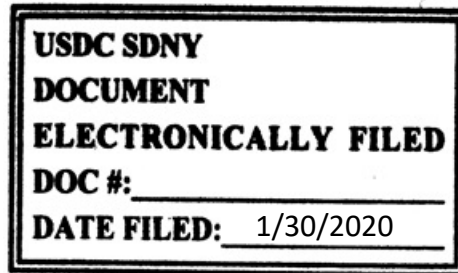


# Morgan Lewis

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January 30, 2020

## VIA ECF

Hon. Stewart D. Aaron  
United States Magistrate Judge  
United States District Court for the Southern District of New York  
500 Pearl Street, Courtroom 11C  
New York, New York 10007

**Re: Thorne v. Tory Burch LLC, Case No. 19-cv-10403-JPO-SDA**

Dear Judge Aaron:

We represent defendant Tory Burch LLC ("Defendant") in the above-referenced action pending before the Court. Pursuant to Rules I(D) and II(A) and (B) of Your Honor's Individual Practices and Rule 37.2 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, we write jointly with counsel for Plaintiff Braulio Thorne ("Plaintiff"), respectfully to request that the Court adjourn the Initial Conference scheduled for February 10, 2020 at 11:00 a.m. to a date and time after the disposition of Defendant's motion to dismiss, which was filed on January 28, 2020, and to stay discovery during the pendency of Defendant's motion pursuant to Federal Rule of Civil Procedure 26(c). The parties have conferred in good faith and jointly request a stay of discovery.

In support of this request, counsel for the parties state that Defendant's motion may be wholly dispositive of the claims at issue in this action or may affect the scope of discovery if the claims are not dismissed. Accordingly, counsel for the parties submits that an adjournment of the Initial Conference and stay of discovery during the pendency of Defendant's motion would conserve both the Court's and the parties' resources. *See Farzan v. Bridgewater Assocs., LP*, 699 Fed. Appx. 57, 58 (2d Cir. 2017) (affirming district court's exercise of discretion to stay discovery during pendency of motion to dismiss).

We thank the Court in advance for its consideration of these requests.

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Hon. Stewart D. Aaron  
January 30, 2020  
Page 2

Respectfully submitted,

*/s/ Michael F. Fleming*

Michael F. Fleming

Cc: All Counsel of Record (Via ECF)

Application GRANTED. Within seven days of the Court's decision on Defendant's motion to dismiss, if any claims remain in this action, the parties shall file a joint letter proposing dates for an Initial Pretrial Conference. SO ORDERED.

Dated: January 30, 2020

